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# Convention on Biological Diversity

## Note by the Secretary-General**

The Secretary-General has the honour to submit to the General Assembly, pursuant to its request in resolution 56/197 of 21 December 2001, the report of the Executive Secretary of the Convention on Biological Diversity.

# Report of the Executive Secretary of the Convention on Biological Diversity

*Summary*

In paragraph 13 of its resolution 56/197 of 21 December 2001, the General Assembly invited the Executive Secretary of the Convention on Biological Diversity to report to it on ongoing work regarding the Convention. The present report has been prepared in response to that invitation.

The report describes the principal activities that have been undertaken within the framework of the Convention in the period since the previous report of the Executive Secretary to the General Assembly. It focuses, in particular, on the outcome of the sixth meeting of the Conference of the Parties to the Convention, held in April 2002, and the second and third meetings of the Intergovernmental Committee for the Cartagena Protocol on Biosafety, held in October 2001 and April 2002, respectively. The report also provides information on cooperation between the Convention and United Nations bodies and other international organizations and conventions.

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** The document was submitted late to the conference services without the explanation required under paragraph 8 of General Assembly resolution 53/208 B, by which the Assembly decided that, if a report is submitted late, the reason should be included in a footnote to the document.

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# I. Introduction

1. In paragraph 13 of its resolution 56/197 of 21 December 2001, the General Assembly invited the Executive Secretary of the Convention on Biological Diversity to report to it on ongoing work regarding the Convention.

2. Since the submission of the previous report of the Executive Secretary to the General Assembly (A/56/126), the principal activities undertaken within the Convention process have been the convening of the sixth meeting of the Conference of the Parties to the Convention and of the second and third meetings of the Intergovernmental Committee for the Cartagena Protocol on Biosafety. Detailed information regarding the outcome of these three meetings is provided in section II below. Section III below provides information on cooperation between the Convention and United Nations bodies and other international organizations and conventions.

3. Various other meetings were held in the period between the submission of the previous report to the General Assembly and the sixth meeting of the Conference of the Parties, such as the first meeting of the Ad Hoc Open-ended Working Group on Access to Genetic Resources and Benefit-sharing; a meeting of the technical expert group on marine and coastal protected areas; the seventh meeting of the Subsidiary Body on Scientific, Technical and Technological Advice; the open-ended intersessional meeting on the Strategic Plan, national reports and the implementation of the Convention; the first meeting of the Ad Hoc Technical Expert Group on Biological Diversity and Climate Change; the second meeting of the Ad Hoc Open-ended Intersessional Working Group on Article 8 (j) and Related Provisions of the Convention; three technical expert meetings on the handling, transport, packaging and identification of living modified organisms; the Open-ended Meeting of Experts on Compliance under the Biosafety Protocol; the Open-ended Meeting of Experts on Capacity-Building for the Implementation of the Biosafety Protocol; the second meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety; and regional meetings for Africa, Asia and the Pacific, and Latin America and the Caribbean, held in preparation for the sixth meeting of the Conference of the Parties.

4. The reports of the above-mentioned meetings, together with the lists of participants and pre-sessional documentation, are available at the web site of the secretariat of the Convention on Biological Diversity, www.biodiv.org.

5. As at 17 June 2002, there are 183 parties to the Convention; 103 parties have signed the Cartagena Protocol on Biosafety and 21 have ratified it.

# II. Principal meetings of the Convention in the period under review

## A. Sixth meeting of the Conference of the Parties

6. The sixth meeting of the Conference of the Parties was held at The Hague, from 7 to 19 April 2002. The meeting set a new record in terms of participation: it was attended by some 125 ministers and vice-ministers, 2,100 governmental officials, non-governmental participants from nearly 176 countries and some 500 organizations. A high-level ministerial segment, a youth conference and a multi-stakeholder dialogue were also convened during the meeting. The Conference made significant progress on a number of issues, including the Strategic Plan for the Convention, the first-ever guidelines on access to genetic resources and benefit-sharing, an international work programme on forests, and on alien species that threaten ecosystems, habitats or species.

7. The sixth meeting of the Conference of the Parties marked a major turning point for the Convention. It has underlined a double shift within the Convention process: from policy development to an increasing focus on implementation, with the establishment of specific priorities and clear targets; and from a predominant focus on conservation to a more balanced implementation of the Convention's three objectives, that is, the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising from the utilization of genetic resources. The meeting was crucial, not only because of its heavy agenda and the significance of the decisions that it was called upon to make, but also given its timing within the broader international agenda, in particular the preparations for the World Summit on Sustainable Development. It

provided an opportunity to show that the Convention on Biological Diversity is a key instrument in the efforts of the international community to achieve sustainable development.

8. Taken as a whole, the decisions adopted at the sixth meeting of the Conference of the Parties provide fresh evidence that the Convention is successful in meeting its challenges, that it is an effective and dynamic instrument. The Convention is a vast undertaking that requires action on many fronts and by a host of many actors. The parties to the Convention and other stakeholders have responded well and, eight years after the entry into force of the Convention, the work accomplished and the high level of cooperation by all concerned provide reasons for optimism. The World Summit on Sustainable Development will provide an opportunity to build on the accomplishments achieved at The Hague and to obtain a firm commitment at the highest political level that the international community is prepared to address the challenges ahead.

9. The Conference reviewed the progress made in the implementation of the programmes of work of the Convention, as well as issues for in-depth consideration. It considered and adopted the following decisions:

VI/1. Intergovernmental Committee for the Cartagena Protocol on Biosafety;

VI/2. Biological diversity of inland waters;

VI/3. Marine and coastal biological diversity;

VI/4. Biological diversity of dry and sub-humid lands;

VI/5. Agricultural biological diversity;

VI/6. The International Treaty on Plant Genetic Resources for Food and Agriculture;

VI/7. Identification, monitoring, indicators and assessments:

- A. Further development of guidelines for incorporating biodiversity-related issues into environmental-impact-assessment legislation or processes and in strategic impact assessment;
- B. Designing national-level monitoring programmes and indicators;
- C. Scientific assessments;

VI/8. Global Taxonomy Initiative;

VI/9. Global Strategy for Plant Conservation;

VI/10. Article 8 (j) and related provisions;

VI/11. Liability and redress (article 14, paragraph 2);

VI/12. Ecosystem approach;

VI/13. Sustainable use;

VI/14. Biological diversity and tourism;

VI/15. Incentive measures;

VI/16. Additional financial resources;

VI/17. Financial mechanism under the Convention;

VI/18. Scientific and technical cooperation and the clearing-house mechanism;

VI/19. Communication, education and public awareness;

VI/20. Cooperation with other organizations, initiatives and conventions;

VI/21. Annex to The Hague Ministerial Declaration of the Conference of the Parties to the Convention on Biological Diversity;

VI/22. Forest biological diversity;

VI/23. Alien species that threaten ecosystems, habitats or species;

VI/24. Access and benefit-sharing as related to genetic resources:

- A. Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization;
- B. Other approaches, including the development of an action plan for capacity-building;
- C. Role of intellectual property rights in the implementation of access and benefit-sharing arrangements;
- D. Other issues relating to access and benefit-sharing;

VI/25. National reports;

VI/26. Strategic Plan for the Convention on Biological Diversity;

VI/27. Operations of the Convention:

A. Implementation of the Convention, in particular implementation of priority actions in national biodiversity strategies and action plans;

B. Operations of the Convention;

VI/28. Multi-year programme of work of the Conference of the Parties up to 2010;

VI/29. Administration of the Convention and the budget for the programme of work for the biennium 2003-2004;

VI/30. Preparations for the seventh meeting of the Conference of the Parties;

VI/31. Date and venue of the seventh meeting of the Conference of the Parties;

VI/32. Tribute to the Government and people of the Kingdom of the Netherlands.

The report of the meeting is contained in document UNEP/CB/COP/6/20.

10. During the high-level ministerial segment of the Conference of the Parties, the ministers adopted The Hague Ministerial Declaration (UNEP/CB/COP/6/20, annex II) in which they resolved to strengthen their efforts to put in place measures to halt biodiversity loss, which was taking place at an alarming rate, at the global, regional, subregional and national levels by the year 2010. The Ministerial Declaration also contains a message to the World Summit on Sustainable Development concerning the expectations of parties to the Convention with regard to the outcome of the Summit. The Declaration is reinforced by the Strategic Plan for the Convention on Biological Diversity (see UNEP/CB/COP/6/20, annex I, decision VI/26), which commits the parties to a more effective and coherent implementation of the three objectives of the Convention so as to achieve by 2010 a significant reduction of the current rate of biodiversity loss. The four strategic goals and objectives of the Plan are: (a) fulfilment of the leadership role of the Convention in international biodiversity issues; (b) improvement of the financial, human, scientific, technical and technological capacity of the parties to implement the Convention; (c) establishment of national biodiversity strategies and action plans and the integration of biodiversity concerns into relevant sectors which would serve as an effective framework for the implementation of the objectives of the Convention; and (d) a better understanding of the importance of biodiversity and of the Convention, leading to broader engagement across society in implementation.

11. One of the major decisions of the meeting was the adoption by the Conference of the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization (decision VI/24 A). These guidelines will assist parties, Governments and other stakeholders in the implementation of the provisions of the Convention relating to access to genetic resources and benefit-sharing, in particular with respect to: developing an overall access and benefit-sharing strategy; identifying the steps involved in the process of obtaining access to genetic resources and benefit-sharing; establishing legislative, administrative or policy measures on access and benefit-sharing; and negotiating contractual arrangements for access and benefit-sharing. It was agreed that the guidelines should be kept under review by the Conference of the Parties and further refined as deemed necessary, on the basis of experience and further developments under the Convention.

12. The Conference also decided to convene a workshop to develop an action plan for capacity-building for access and benefit-sharing (decision VI/24 B). The objective of the action plan is to facilitate and support the development and strengthening of capacities for the effective implementation of the provisions of the Convention relating to access to genetic resources and benefit-sharing at the local, national, subregional, regional and international levels.

13. The Conference of the Parties also considered the role of intellectual property rights in access and benefit-sharing arrangements (decision VI/24 C). It made an important statement by inviting parties and Governments to encourage the disclosure of the country of origin of genetic resources in applications for intellectual property rights, where the subject matter of the application concerns or makes use of genetic resources in its development, as a possible contribution to tracking compliance with prior informed consent and the mutually agreed terms upon which access to those resources was granted. Similarly,

it also invited parties and Governments to encourage the disclosure of the origin of relevant traditional knowledge, innovations and practices of indigenous and local communities in applications for intellectual property rights, where the subject matter of the application concerns or makes use of such knowledge in its development.

14. The Conference of the Parties demonstrated its continued strong commitment to the implementation of article 8 (j) and related provisions of the Convention on the traditional knowledge, innovations and practices of indigenous and local communities (decision VI/10). Among the principal elements of this decision are: (a) the continuing emphasis on identifying, promoting and instituting ways and means to improve the effective participation and involvement of indigenous and local communities embodying traditional lifestyles in the work of the Convention; (b) the development and implementation of strategies and mechanisms for the protection of traditional knowledge, based on a range of approaches; (c) the preparation of a composite report which will provide an assessment of the current status of respect for and preservation and maintenance of traditional knowledge, innovations and practices across all major ecosystem types and identify trends; and (d) the adoption of a set of recommendations for an assessment of the cultural, environmental and social impact of developments proposed to take place on, or which are likely to affect, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities.

15. The Conference of the Parties adopted an expanded programme of work on forest biological diversity, which constitutes a comprehensive set of goals, objectives and activities required to achieve the three objectives of the Convention as they relate to forest biological diversity (decision VI/22). The programme of work prepared by the Ad Hoc Technical Expert Group on Forest Biological Diversity and further revised by the Subsidiary Body on Scientific, Technical and Technological Advice at its seventh meeting is the result of extensive consultations among parties, Governments, and international and regional organizations and processes, including the United Nations Forum on Forests, and the Collaborative Partnership on Forests. The Conference of the Parties expressed the urgent need for action for forests that are ecologically significant and/or most important for biological diversity on national and regional scales and according to national priorities, where forest biodiversity loss or threats of loss are significant or of great concern, and in areas with greatest potential for conservation, sustainable use and benefit-sharing.

16. The Conference requested the Executive Secretary to initiate actions addressing some initial focus areas which were identified as important first steps towards regional and national implementation: ecosystem approach; collaboration with other bodies/enabling environment; cross-sectoral integration; protected areas; forest law enforcement and related trade; sustainable use/benefit-sharing; and servicing capacity-building. The initiation of these actions should not delay implementation of other activities within the expanded work programme at international, regional or national level. These are, inter alia, actions related to the ecosystem approach, the assessment of further collaboration with other bodies for efficient and cost-efficient implementation of the programme of work, cross-sectoral integration, protected areas, sustainable use and benefit-sharing and servicing capacity-building. Several international organizations and processes are invited to collaborate on specific issues and to foster cooperation and synergies between the programme of work, including the members of the Collaborative Partnership on Forests, the United Nations Forum on Forests and the United Nations Framework Convention on Climate Change. The Food and Agriculture Organization of United Nations (FAO), the International Tropical Timber Organization and the Global Fire Monitoring Centre are invited to strengthen collaboration regarding forest biodiversity and forest fire issues. A liaison group meeting on non-timber forest resources, including members of the Collaborative Partnership on Forests, the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Conservation Union and other relevant organizations will also be established.

17. Significant progress has also been made with regard to agricultural biological diversity. The Conference adopted steps for the further implementation of the programme of work in this area, adopted the first plan of action for the International Initiative for the Conservation and Sustainable Use of Pollinators, and decided to establish the International Initiative for the Conservation and Sustainable Use of Soil Biodiversity (decision VI/5). The adoption of the International Treaty on Plant Genetic Resources for

Food and Agriculture by the Conference of FAO in Rome on 3 November 2001 was a major step towards the conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits derived from their use, in harmony with the Convention on Biological Diversity. The Convention secretariat will develop cooperation with the secretariat of the Commission on Genetic Resources for Food and Agriculture acting as the Interim Committee for the Treaty on Plant Genetic Resources for Food and Agriculture and, upon its establishment, with the secretariat of the Treaty on Plant Genetic Resources for Food and Agriculture.

18. The Conference of the Parties also adopted the Global Strategy for Plant Conservation, which establishes 16 quantified outcome-oriented global targets for 2010 (decision VI/9). The Conference considered the Strategy as a pilot approach for the use of outcome targets under the Convention within the context of the Strategic Plan. The effective implementation of the Strategy will depend, inter alia, on cooperation among a number of international initiatives and on the development of national and regional targets that will be incorporated into relevant plans, programmes and initiatives, including national biodiversity strategies and action plans. These targets provide a framework for policy formulation and a basis for monitoring.

19. The Conference of the Parties made significant progress with regard to the issue of alien species that threaten ecosystems, habitats or species and reaffirmed that the full and effective implementation of article 8 (h) of the Convention was a priority issue (decision VI/23). The Conference adopted guiding principles for the prevention, introduction and mitigation of impacts of alien species that threaten ecosystems, habitats or species.[1] The Conference further urged parties and Governments to develop and implement national strategies and action plans to address the threats posed by invasive alien species, and considered such other issues as relevant international instruments; international cooperation; assessment, information and tools; and capacity-building.

20. In the light of the complex impact of tourism on socio-economic structures, cultural values and natural ecosystems and in order to contribute to the promotion of sustainable tourism, the Convention is participating in the international work programme on sustainable tourism development that is being discussed within the framework of the Commission on Sustainable Development, as mandated by the Conference of the Parties in its decision V/25. The Convention's primary thrust is the development of a set of guidelines for activities related to sustainable tourism activities and biological diversity in vulnerable terrestrial, marine and mountain ecosystems. The guidelines are conceived as a practical tool to provide technical guidance to policy makers and managers that have responsibilities relating to tourism and/or biodiversity, whether in national or local government, the private sector, indigenous and local communities, non-governmental organizations and other organizations, on ways of working together with the key stakeholders involved in tourism and biodiversity.

21. The Conference of the Parties requested the Executive Secretary to review the draft guidelines on the basis of consultations and the outcome of the World Ecotourism Summit, and to transmit the reviewed draft to the Subsidiary Body on Scientific, Technical and Technological Advice for its consideration prior to the seventh meeting of the Conference of the Parties (decision VI/14).

22. Sustainable use of components of biological diversity, a key to achieving the broader goal of sustainable development, is a cross-cutting issue relevant to all biological resources. Sustainable use entails the introduction and application of methods and processes for the utilization of biodiversity to prevent its long-term decline, thereby maintaining its potential to meet present and future needs. The secretariat of the Convention on Biological Diversity has been working for the past two years on establishing a framework of key factors, conditions and actions to be considered or taken by Governments, resource managers and stakeholders, in an effort to optimize the uses of biological resources. In particular, the secretariat held three regional workshops with a view to identifying a set of principles and guidelines that would assist parties and Governments in exploring ways and means and developing modalities that would enable the sustainable use of biological diversity. In order to synthesize the outcomes of the three workshops, integrate different views and regional differences and develop a final set of practical principles and operational guidelines, the Conference of the Parties requested the Executive Secretary to organize a fourth open-ended workshop on the sustainable use of biological diversity (decision VI/13). The outcome of

the workshop will be submitted to the Subsidiary Body on Scientific, Technical and Technological Advice for its consideration prior to the seventh meeting of the Conference of the Parties. A number of international organizations, such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on Wetlands of International Importance especially as Waterfowl Habitat (more commonly known as the Ramsar Convention), FAO, the World Conservation Union, the International Tropical Timber Organization and the World Wide Fund for Nature, have been invited to continue to participate in this process.

23. The effective implementation of the Convention is dependent on national measures and actions by parties. National reporting on measures taken to implement the Convention and the adoption of national biodiversity strategies and action plans are critical elements in this regard. The Conference of the Parties decided that the third round of national reporting on measures taken by parties to implement their obligations would, inter alia, build on the methodology and formats used in the second round of national reporting, allow the parties to provide information on the experience of implementing their national biodiversity strategies and action plans and facilitate the identification of the obstacles and impediments to implementation encountered by the parties (decision VI/25).

24. The Conference of the Parties stressed the importance of developing and implementing national biodiversity strategies and action plans to the national implementation of the Convention (decision VI/27). To that end, it urged those parties that had not yet developed or adopted national biodiversity strategies and action plans to do so, and to give priority to integrating the three objectives of the Convention into relevant sectoral or cross-sectoral plans, programmes and policies. In addition, the Conference urged those parties that had developed and adopted such strategies and plans to identify priority actions as well as constraints and impediments to their implementation and revise them in the light of the experience gained. The parties were also urged to establish national mechanisms or consultative processes for coordinating, implementing, monitoring, evaluating and periodically revising the strategies and plans, with particular regard to the special needs of indigenous and local communities.

25. Further, parties were encouraged to develop regional, subregional or bioregional mechanisms and networks to support the implementation of the Convention, including through the development of regional or subregional strategies and action plans and the identification of common constraints and impediments to their implementation and promotion of joint measures for addressing those constraints and impediments. Multilateral, regional, bilateral and private donors and institutions were called upon to support the implementation of national biodiversity strategies and action plans, in particular priority actions, and requested to simplify their administrative procedures to expedite access by eligible countries to the financial resources needed for the implementation of such strategies and plans. The Conference underlined the importance of access to and transfer of technology and of technical and scientific cooperation in the implementation of those strategies and plans. The Conference of the Parties also welcomed the contributions to their implementation made by some United Nations agencies, such as the United Nations Environment Programme and the United Nations Development Programme.

26. Progress was made in advancing the work on article 11 of the Convention, on the implementation of economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity. The Conference endorsed a number of proposals for the design and implementation of incentive measures, and invited parties to take these proposals into consideration when designing and implementing incentive measures for the conservation and sustainable use of biological diversity (decision VI/15). The Conference endorsed a number of recommendations to further international collaboration on incentive measures which, inter alia, envisage the establishment of an inter-agency coordination committee that would coordinate further activities at the international level, and the convening of a workshop on incentive measures.

27. The Conference of the Parties emphasized the need for a substantial increase of international financial support to the implementation of the Convention and the easier flow of such assistance, and to that end urged donor countries to substantially replenish the Global Environment Facility to levels higher than the current for supporting developing countries, in particular the least developed and the small island developing States

and countries with economies in transition (decision VI/16). The Conference invited parties and Governments to review national budgets and monetary policies, including the effectiveness of official development assistance allocated to biological diversity, with a view to promoting the conservation and sustainable use of biological diversity, paying particular attention to positive incentives and their performance as well as perverse incentives and ways and means for their removal or mitigation. It requested the Executive Secretary to undertake a wide range of information-gathering and dissemination activities to promote financing for biodiversity. In addition, the Conference provided 15 additional elements of guidance to the financial mechanism under the Convention on Biological Diversity, which would reinforce the implementation of existing guidance (decision VI/17).

28. Recognizing that communication, education and public awareness are essential elements for the successful and effective implementation of the Convention and its Strategic Plan, the Conference of the Parties adopted the programme of work for the Global Initiative on Communication, Education and Public Awareness (decision VI/19). The programme of work contains three elements: a global communication, education and public awareness network; exchange of knowledge and expertise; and capacity-building for communication, education and public awareness.

29. Given that the current programme of work of the Conference of the Parties (decision IV/16) will come to an end at the seventh meeting, the Conference of the Parties mandated the Executive Secretary to prepare a multi-year programme of work for the Conference up to 2010 (decision VI/28). The programme of work is to be based on the draft multi-year programme of work considered by the Conference of the Parties at its sixth meeting, submissions by parties to the Convention and the views of the Bureau of the Subsidiary Body on Scientific, Technical and Technological Advice. The programme of work will deal with issues for consideration by the Conference of the Parties at its eighth, ninth and tenth meetings.

## B. Developments within the framework of the Intergovernmental Committee for the Cartagena Protocol on Biosafety

30. In the period under review, the second and third meetings of the Intergovernmental Committee for the Cartagena Protocol on Biosafety and the open-ended meeting of experts on a compliance regime under the Protocol have been held. The Intergovernmental Committee met at Nairobi from 1 to 5 October 2001, and the meeting of experts was held at The Hague, from 22 to 26 April 2002, immediately following the sixth meeting of the Conference of the Parties.

31. The Intergovernmental Committee, at its second and third meetings, continued its preparatory work for the first meeting of the Conference of the Parties serving as the meeting of the parties to the Protocol. Significant progress was made on the issues identified in the work plan of the Committee, including: information sharing; capacity-building; provision of guidance to the financial mechanism; decision-making procedures; handling, transport, packaging and identification; liability and redress; compliance; monitoring and reporting; consideration of other issues necessary for the effective implementation of the Protocol; rules of procedures for the Conference of the Parties serving as the meeting of the parties to the Protocol; and the secretariat. The recommendations of the Intergovernmental Committee to the first meeting of the Conference of the Parties serving as the meeting of the parties to the Protocol are contained in documents UNEP/CBD/ICCP/2/15 and UNEP/CBD/ICCP/3/10, which can be viewed on the web site of the secretariat of the Convention on Biological Diversity (www.biodiv.org).

32. One of the most important outcomes of this intergovernmental process has been the launch of the pilot phase of the Biosafety Clearing House. The effective operation of the Protocol will depend, to a large degree, on the availability of a fully functional and accessible Biosafety Clearing House. The objectives of the pilot phase are twofold: first, to build experience and provide feedback for the development of a functional and accessible Internet-based Biosafety Clearing House and to identify alternatives to the electronic system; and, second, to identify and address the capacity needs of countries with respect to the Biosafety Clearing House. The pilot phase has been successfully launched to fulfil those two objectives. A

series of regional meetings were convened to assist countries in developing national databases that can interact with the global Biosafety Clearing House. With experience gained from the pilot phase, the Biosafety Clearing House is moving towards a fully functional mechanism at the time of entry into force of the Protocol.

33. Capacity-building is another high priority item on the agenda of the Intergovernmental Committee for the Cartagena Protocol on Biosafety. The Intergovernmental committee has developed an action plan that outlines a series of measures and steps to increase the capacity of developing countries and countries with economies in transition in preparing for the implementation of the Protocol. Considerable efforts have also been devoted to proposing ways and means to operationalize the roster of experts on biosafety established by the Conference of the Parties (decision EM-I/3) for the purpose of providing assistance to developing countries and countries with economies in transition which may need such assistance in the fields of risk assessment and risk management. A comprehensive and concrete framework for building and strengthening capacities for the implementation of the Protocol has been proposed by the Intergovernmental Committee to the Conference of the Parties serving as the meeting of the parties to the Protocol at its first meeting.

34. The financial mechanism of the Convention, which is also the financial mechanism of the Protocol, is an important source to support capacity-building. The Intergovernmental Committee, at its second meeting, made a number of recommendations to the Conference of the Parties to the Convention at its sixth meeting with respect to guidance to the financial mechanism in the field of capacity-building, including facilitation of participation in the Biosafety Clearing House, drawing upon the key elements in the action plan for capacity-building. The Conference of the Parties provided additional guidance to the financial mechanism regarding national capacity-building in biosafety, in particular for enabling effective participation in the Biosafety Clearing House and the implementation of the action plan referred to above and for assisting developing countries in preparing for the entry into force of the Protocol (decision VI/17).

35. Other important issues considered by the Intergovernmental Committee at its second and third meetings included: decision-making procedures by the parties of import; handling, transport, packaging and identification; liability and redress; and compliance. The Intergovernmental Committee has developed procedures and mechanisms to facilitate decision-making by parties of import, through which a party of import may, at any time after having received notification from a party of export, seek relevant assistance from the roster of experts in order to be in a position to make an informed decision. The Intergovernmental Committee has invested considerable effort in the development of the nature and modalities of information requirements with respect to documentation accompanying the transboundary movement of living modified organisms.

36. The work on liability and redress has mainly focused on information gathering with respect to international and national measures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms. Full implementation of the Protocol relies on an efficient system of monitoring, reporting and compliance. A common format for monitoring and reporting has been developed for use by parties to the Protocol in preparing their national reports. The recommendation from the Intergovernmental Committee emphasizes the need to avoid duplication with other reporting requirements under the Convention in order to ease the technical, technological and financial burden on parties, in particular developing countries and countries with economies in transition. Considerable progress has been achieved in developing the elements of compliance procedures and institutional mechanisms for the Protocol. The compliance regime to be developed under the Protocol is envisaged to be facilitative and cooperative in nature, with the aim of promoting compliance and addressing cases of non-compliance by parties.

37. At the sixth meeting of the Conference of the Parties to the Convention, many countries emphasized the desirability of obtaining, prior to the convening of the World Summit on Sustainable Development, the number of ratifications of the Protocol needed for its entry into force. It was considered that such a development would underline the continued commitment of the international community to issues at the heart of sustainable development. The Intergovernmental Committee, at its third meeting, called upon all parties to the Convention that had not yet done so to ratify, accept, approve or accede to the

Protocol at the earliest possible opportunity in order to enable it to enter into force in time for the first meeting of the Conference of the Parties serving as the meeting of the parties to the Protocol which is to be held in 2003 in conjunction with an extraordinary meeting of the Conference of the Parties.

## III. Cooperation with United Nations bodies, international organizations and other conventions

38. Cooperation with United Nations bodies has been a key element in the work of the Convention in the period under review. The centrepiece of the relationship between the Convention and the United Nations has been the preparatory work for the World Summit on Sustainable Development. By decision V/27, the Conference of the Parties at its fifth meeting had welcomed the invitation of the General Assembly to the secretariat of the Convention to report on how activities carried out under the Convention were contributing to the implementation of Agenda 21 and the Programme for the Further Implementation of Agenda 21, for the consideration of the General Assembly at its fifty-fifth session. It had also welcomed the invitation of the Commission on Sustainable Development extended to secretariats of the Rio conventions to support preparatory activities of the 10-year review of Agenda 21. The Conference of the Parties requested the Executive Secretary to support the preparatory process for the World Summit and, in particular, to report to the Commission on Sustainable Development on the progress made in the implementation of the Convention.

39. In the period under review, the secretariat participated in the second, third and fourth preparatory sessions of the Commission on Sustainable Development acting as the Preparatory Committee for the World Summit on Sustainable Development. The Conference of the Parties to the Convention, at its sixth meeting, adopted a statement as a contribution to the World Summit on Sustainable Development (decision VI/21, annex). The statement outlines the linkage between the Convention and Agenda 21, describes the experience gained and lessons learned in implementing the Convention, and provides ideas and proposals for the way forward for the further implementation of Agenda 21. One of the key lessons learned from the past 10 years is the need to mainstream biodiversity into relevant sectors at the national and global levels in order to meet the objectives of the Convention. At the national level, mainstreaming is required across all sectors of the national economy, the society and the policy-making framework. At the global level, what is needed above all is for other international regimes to take into consideration the concerns of the Convention. The statement, therefore, calls upon the World Summit to reaffirm that the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising out of the utilization of genetic resources are essential to achieving sustainable human development in the twenty-first century and that implementing the objectives of the Convention will require policy coherence among all relevant instruments and processes, renewed political will on the part of Governments, and a renewed commitment to cooperation and to providing the resources and technology required. In accordance with decision VI/21, the President of the Conference transmitted the statement to the Commission on Sustainable Development acting as the preparatory committee for the World Summit at its fourth session.

40. As regards cooperation with the other Rio conventions, several significant developments have taken place in the period under review. The Ad Hoc Technical Expert Group on Biological Diversity and Climate Change met at Helsinki, from 21 to 25 January 2002 to consider the impact of climate change on forest biological diversity and to prepare scientific advice to integrate biodiversity considerations into the implementation of the United Nations Framework Convention on Climate Change and its Kyoto Protocol. The secretariat of the Convention organized, in conjunction with the second session of the Commission on Sustainable Development acting as the preparatory committee for the World Summit, the second meeting of the liaison group of the secretariats and the officers of the relevant subsidiary bodies of the United Nations Framework Convention, the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, and the Convention on Biological Diversity. The deliberations focused on promoting synergies among the secretariats, in particular on forests, as well as coordination of representation in relevant events, including respective input, roles and responsibilities. The secretariats of the Convention on Biological Diversity and the United

Nations Convention to Combat Desertification have also agreed on elements of joint activities which are currently being implemented, including within the context of the work of the Ad Hoc Technical Expert Group on Dry and Sub-humid Lands.

41. The Conference of the Parties welcomed the above-mentioned activities and requested the Subsidiary Body on Scientific, Technical and Technological Advice and the Executive Secretary to continue to cooperate with the Conference of the Parties to and the secretariat of the United Nations Framework Convention, including its Kyoto Protocol, and with the Intergovernmental Panel on Climate Change on relevant issues, such as dry and sub-humid lands, agricultural biological diversity, forest biological diversity, marine and coastal biological diversity, especially coral reefs, and incentive measures and impact of measures envisaged under the Kyoto Protocol with a view to maximizing synergies among these processes (decision VI/20). The Conference also welcomed the establishment of the joint liaison group of the United Nations Framework Convention, the United Nations Convention to Combat Desertification and the Convention on Biological Diversity, and urged the joint liaison group to become fully operational in order to facilitate cooperation among the conventions at both the national and international levels.

42. As regards cooperation with the United Nations Forum on Forests on issues relating to forest biological diversity, the secretariat convened a workshop on forests and biological diversity at Accra from 28 to 30 January 2002 to discuss synergies and avoid duplications in the work of the Forum, the Collaborative Partnership on Forests and the Convention on Biological Diversity. As noted in paragraph 15 above, the Conference of the Parties has, by decision VI/22, given new impetus to such collaborative activities.

43. The Conference of the Parties re-emphasized the need for further cooperation with FAO (decisions VI/5 and VI/20). It invited FAO to study the potential impact of the application of genetic use restriction technologies within the framework of the International Treaty on Plant Genetic Resources for Food and Agriculture, and to consider genetic use restriction technologies in the further development of a code of conduct on biotechnology as it relates to genetic resources for food and agriculture.

44. The Conference called for increased cooperation with other international organizations and conventions, such as the United Nations Environment Programme, the World Trade Organization (WTO), the World Intellectual Property Organization, the International Union for the Protection of New Varieties of Plants, the Ramsar Convention, the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the International Plant Protection Convention. The Conference welcomed and endorsed both the third joint work plan (2002-2006) between the Convention on Biological Diversity and the Ramsar Convention, and the joint work programme between the Convention on Biological Diversity and the Convention on the Conservation of Migratory Species of Wild Animals.

45. The Conference of the Parties reaffirmed the need to ensure mutual supportiveness with relevant agreements reached under the auspices of WTO and reiterated its request to WTO to grant observer status to the Executive Secretary of the Convention on Biological Diversity so as to enable him to represent the Convention in meetings of the Committee on Sanitary and Phytosanitary Measures, the Committee on Technical Barriers to Trade and the Council for the Agreement on Trade-related Aspects of Intellectual Property Rights.

46. The clearing-house mechanism of the Convention on Biological Diversity continues to be developed in close cooperation with relevant international organizations and entities as active partners in order to maximize existing experience and expertise, in particular in support of paragraphs (c) and (e) of the annex to decision V/14 of the Conference of the Parties. A memorandum of cooperation with the Global Invasive Species Programme was signed on 8 June 2001 to establish an international thematic focal point under the clearing-house mechanism. Under this objective, the clearing-house mechanism, in cooperation with the Programme, will provide relevant thematic information on invasive alien species and will develop a pilot initiative on invasive alien species within the work programme of the Subsidiary Body on Scientific, Technical and Technological Advice. At its sixth meeting, the Conference of the Parties endorsed this approach, welcomed the Programme as an international thematic focal point and called on parties, Governments and relevant organizations to contribute

to the creation and maintenance of a global invasive species information network (decision VI/23).

47. The emphasis placed by the Conference of the Parties at its sixth meeting on cooperation and collaborative activities underlines the conviction of the parties that the objectives of the Convention on Biological Diversity can only be realized through enhanced policy coherence among all relevant international instruments and processes.

## IV. Conclusions and recommendations

48. The General Assembly may, at its fifty-seventh session, wish to, inter alia:

(a) Take note of the report of the Executive Secretary of the Convention on Biological Diversity, as submitted by the Secretary-General to the General Assembly at its fifty-seventh session;

(b) Note the outcome of the sixth meeting of the Conference of the Parties to the Convention on Biological Diversity hosted by the Government of the Netherlands from 7 to 19 April 2002;

(c) Also note the outcome of the third meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety, held at The Hague from 22 to 26 April 2002;

(d) Invite the Executive Secretary of the Convention on Biological Diversity to continue to report to the General Assembly on the ongoing work regarding the Convention.

*Notes*

[1] A number of parties expressed reservations in plenary regarding the procedure used in adopting this decision and requested that their reservations be recorded in the report of the meeting (see UNEP/CBD/COP/6/20, para. 294-324).